

# LAH 3931: Race, Gender, and Law in the Spanish Empire

Prof. Max Deardorff

[deardorff.max@ufl.edu](mailto:deardorff.max@ufl.edu)

Office Hours, 339 Grinter Hall: M & F (8:30-9:15)

Zoom Office Hours: M (10:45-12:15)

Class Location: Keene-Flint 0119

Time: M, W, F Period 3 (9:35 AM - 10:25 AM)



*An illustration of the imprisonment of the famous mestizo cacique of Turmequé (Colombia), ca. 1580*

## COURSE DESCRIPTION

Roughly five centuries ago, Spanish conquest of what we now know as Latin America upended two empires (Aztec, Inca) and disrupted innumerable smaller societies. From the Spanish viewpoint, it was a moment of glorious triumph that proved the superiority of Spanish religion, political organization, and military might. While some natives mourned their deep losses in terms of society and culture, others (often temporarily) rejoiced as Spanish rule freed them from the threat of a more local oppressor. The one experience common to all, both victors and vanquished, was a period of rapid change and exposure to alien cultural values. Indigenous societies of the continent

had had their own laws, customs, and social hierarchies, most of which began to slowly disappear or transform in the wake of conquest. Even the once mighty Incas and Aztecs struggled to maintain some semblance of their earlier authority. In subsequent decades, there emerged a new society that differentiated not only between nobles and commoners, between dominant and subordinate ethnicities (as had already been the case in pre-Hispanic times), but also grew to incorporate Spaniards, Europeans, Africans, and Asians who arrived on American shores, some under their own volition and others enslaved, actors in this first era of globalization.

In early colonial settlements, European settlers worked under the presumption that Spanish law from the homeland would serve to settle disputes and dispense justice on the frontier. But it soon became obvious that this new environment had many complexities of its own – and much greater diversity – than the Old World society Spaniards had left behind. New bodies of law gradually evolved to address those complexities until 1680, almost two hundred years after Columbus’s footfall, when for the first time the Crown published a body of coherent colonial law intended wholly for the colonies. But by that time, colonial society had already reached its own equilibrium as custom, precedent, and royal decrees had together created a patchwork of law that allotted differentiated rights to the Crown’s subjects based on race, gender, and class.

This upper level, reading-intensive, legal history course takes a journey through justifications for conquest and enslavement, family squabbles over inheritance, business deals gone bad, criminal accusations of violence and assault, and disputes over land on the way to understanding the roles that race and gender played in the application of law in the Spanish Empire. Could natives, Africans, and their descendants expect to get a fair shake in colonial court? Did the legal system provide women legal instruments to overcome the will of abusive husbands? By the end of the semester, students will have the tools necessary to reach their own conclusions.

### **Required Texts:**

Gauderman, Kimberly. *Women's Lives in Colonial Quito: Gender, Law, and Economy in Spanish America* (Austin: University of Texas Press, 2009) ISBN: 9780292722231

Jaffary, Nora E. and Jane E. Mangan eds., *Women in Colonial Latin America, 1526 to 1806: Texts and Contexts* (Indianapolis: Hackett, 2018) ISBN: 9781624667503

Seijas, Tatiana. *Asian Slaves in Colonial Mexico: From Chinos to Indians* (Cambridge: Cambridge University Press, 2015) ISBN: 9781107635777 [e-book available at UF library]

### **Course Reserves:**

One copy of “Required Texts” listed above will be available at Library Desk for consultation. [ARES](#) online course reserves password: **RaceGenderLaw**

## COURSE FORMAT

Following the University's mandate, this course is offered in-person (face-to-face in the classroom) at the scheduled time and place. However, due to the current context of the COVID-19 pandemic, I will offer a limited HyFlex option during the first six weeks of the class (from 8/23-10/1) so that students who wish to attend lectures online may do so during this period if they so choose. After these initial weeks, lectures shall be offered in the primary modality only (that is, face-to-face in the classroom), unless I determine otherwise. I will make a decision on this point in late September, based on the circumstances at that time. Students should not expect the course to have a HyFlex component through the duration of the semester, and those who have attended virtually must be prepared to return to the classroom for face-to-face instruction starting 10/4.

## CLASSROOM ETIQUETTE AND EXPECTATIONS

This course will ask students to engage in conversations related to the topics of study. Lively debates are welcome, but they should occur with respectful and courteous behavior. Uncourteous behavior will not be tolerated and may result in removal from a class period, or worse.

With the approval of the University administration and in response to COVID-19, the following practices are in place to maintain your learning environment, to enhance the safety of our in-classroom interactions, and to further the health and safety of ourselves, our neighbors, and our loved ones:

\* If you are not vaccinated, get vaccinated. Vaccines are readily available at no cost and have been demonstrated to be safe and effective against the COVID-19 virus. Visit [this link](#) for details on where to get your shot, including options that do not require an appointment. Students who receive the first dose of the vaccine somewhere off-campus and/or outside of Gainesville can still receive their second dose on campus.

\* You are expected to wear approved face coverings at all times during class and within buildings even if you are vaccinated. Please continue to follow healthy habits, including best practices like frequent hand washing. Following these practices is our responsibility as Gators.

-Sanitizing supplies are available in the classroom if you wish to wipe down your desks prior to sitting down and at the end of the class.

- Hand sanitizing stations will be located in every classroom.

\* If you sick, stay home and self-quarantine. Please visit the UF Health Screen, Test & Protect website about next steps, retake the questionnaire and schedule your test for no sooner than 24 hours after your symptoms began. Please call your primary care provider if you are ill and need immediate care or the UF



Student Health Care Center at 352-392-1161 (or email [covid@shcc.ufl.edu](mailto:covid@shcc.ufl.edu)) to be evaluated for testing and to receive further instructions about returning to campus. UF Health Screen, Test & Protect offers guidance when you are sick, have been exposed to someone who has tested positive or have tested positive yourself. Visit the [UF Health Screen, Test & Protect website](#) for more information.

### **Classroom Policy on Electronic Devices**

Computers and other electronic devices are not allowed in the physical classroom (with one exception, below). Students attending lectures face-to-face section should plan accordingly, and bring pen and paper to lectures to take notes. This decision relies on pedagogical studies that show that, unless essential for the subject of the course, [multitasking](#) on a laptop during class hinders users and nearby peers' learning and can result in [lower testing grades](#). Studies also suggest that [taking notes in longhand](#) improves information processing and retention. Students should also be prepared to bring print copies of the required course materials. All cell phones must be turned to vibrate at the beginning of class.

Students attending the first six weeks of the course on-line while HyFlex is an option should use electronic devices to connect to the class via Zoom or for text-referencing purposes *only*. Please refrain from using your devices for other purposes during our class meetings (such as surfing the web, texting, or online shopping), and silence cellphones and all other devices not being used for class.

EXCEPTION: For discussion sessions, students are required to bring to class a copy of the material under discussion. If students prefer, they may access the assigned reading (if in e-format) via an electronic device. If, however, students use their electronic device for uses other than consultation during reading discussion, they will be penalized and not allowed to use the device in this class for the remainder of the semester.

### **CLASS POLICY REGARDING IN-CLASS RECORDING**

Students are allowed to record video or audio of class lectures. However, the purposes for which these recordings may be used are strictly controlled. The only allowable purposes are (1) for personal educational use, (2) in connection with a complaint to the university, or (3) as evidence in, or in preparation for, a criminal or civil proceeding. All other purposes are prohibited. Specifically, students may not publish recorded lectures without the written consent of the instructor.

A "class lecture" is an educational presentation intended to inform or teach enrolled students about a particular subject, including any instructor-led discussions that form part of the presentation, and delivered by any instructor hired or appointed by the University, or by a guest instructor, as part of a University of Florida course. A class lecture does not include lab sessions, student presentations,

clinical presentations such as patient history, academic exercises involving solely student participation, assessments (quizzes, tests, exams), field trips, private conversations between students in the class or between a student and the faculty or lecturer during a class session.

Publication without permission of the instructor is prohibited. To “publish” means to share, transmit, circulate, distribute, or provide access to a recording, regardless of format or medium, to another person (or persons), including but not limited to another student within the same class section. Additionally, a recording, or transcript of a recording, is considered published if it is posted on or uploaded to, in whole or in part, any media platform, including but not limited to social media, book, magazine, newspaper, leaflet, or third party note/tutoring services. A student who publishes a recording without written consent may be subject to a civil cause of action instituted by a person injured by the publication and/or discipline under UF Regulation 4.040 Student Honor Code and Student Conduct Code.

### **Electronic Communication (Email):**

If you have questions/concerns that have not been addressed in class and cannot be answered by consulting the syllabus, come see me during office hours. If you are unable to attend office hours and you have pressing concerns/questions that cannot wait for an alternative meeting time, send me an email at [deardorff.max@ufl.edu](mailto:deardorff.max@ufl.edu) using your own @ufl.edu account. I generally check and respond to emails once daily during the workweek, between 8am-6pm. Please allow up to 24 hours for a response. I do not respond to work emails during the weekend. Please refrain from using your personal email account, as I will not respond to those.

Professors love to hear from students, but keep in mind that emailing your professors or T.A.s is not the same as emailing (or texting) your friends. For some useful tips on how to email Professors, see “[How to Email Your Professor \(Without Being Annoying AF\)](#)”.

### **Canvas Messages:**

If you need to communicate with me, please do so via email (see above). In general, for organizational reasons I tend not to read individual messages sent to my Canvas inbox. I use Canvas messages to send general course-related messages that are addressed to the entire class (including reminders about upcoming deadlines, clarifications, notices, etc), or, if I deem relevant, to individual students. But for *you* to reach *me*, *email is strongly preferred*. It is the students’ responsibility to check messages on both Canvas and their UF email regularly for important information relating to the course, and to respond in a timely fashion when necessary.

### **Communicating About Grades:**

Students who wish to discuss their grades should wait 24 hours after receiving their grade to contact the instructor. I am happy to offer further clarification on assignments, but please note that grades are only re-evaluated in case of mathematical error.

### **Attendance policy**

It appears this will not be a normal semester, so I am making some accommodations to normal policy. As the COVID-19 pandemic continues to rage in our community, during Fall 2021 I will take attendance for record-keeping purposes, but have relaxed grade policies in relation to attendance points. **Attendance** in class lectures and discussions (whether in person or via Hy-Flex) is highly encouraged, and there will be no instructional recording available for later viewing. Some standards must be met, however. A student can miss up to TEN (10) class meetings during the semester (lectures and/or break-out discussion sections) without any penalty and without the need to provide an excuse. Starting at the eleventh (11th) absence, further absences require official documentation, otherwise the student is at risk of failing the course. This generous attendance policy is in place to allow students who have been withheld from campus by the Screen, Test, Protect initiative, or who feel unwell, or otherwise have reason to believe they might have contracted COVID, to stay home while recovering. A student who finds her/himself in that position should plan to meet with the instructor during office hours following their return to campus to discuss missed content and make-up work. There are minimal requirements for passing; students should be aware that poor attendance (40% or more of the semester) without communicating with the instructor for alternative arrangements is grounds for failing the course.

### **Discussion expectations**

History classes are most rewarding when students interact with the texts, each other, and the instructor on a sustained basis. Readings provide the raw material for class discussion, where much of the learning takes place. Effective class participation is therefore essential. Students can expect a respectful atmosphere in which to express their opinions.

### **Late Work**

Late work will not be accepted without penalty. . Extremely late work (more than six calendar days beyond due date) will not be accepted, outside of approved extenuating circumstances. Please make every effort to apprise the instructor of adverse circumstances that affect your ability to attend class or complete assignments on time. Official documentation is required to excuse an absence and to schedule make-up assignments.

### Course goals:

- (1) Students will be able to identify ways in which the colonial legal system of the Spanish Empire differed from our own, including the specific juridical personhood it recognized for subjects according to their gender and race/ethnicity.
- (2) Students will learn to read historical legal texts in a critical fashion, with an eye to understanding the statutory basis that led to their creation, and how they were read and received by their contemporary audiences.
- (3) Students will improve their writing and communication skills, by writing short and medium-length essays that ask historical questions and muster evidence from primary sources to support their theses. All papers will be graded and returned with significant feedback so as to encourage better performance on future papers.
- (4) Students will engage in critical conversation with their peers and professor about the work of doing history.

## ASSIGNMENT TYPES

**### Participation and Content Quizzes:** Please attend section having read the assigned materials for the meeting and bring a copy with you. Reading comprehension quizzes may occasionally be administered via Canvas, and the results of those quizzes will be integrated into the Participation Grade. Unpreparedness or failure to bring readings to discussion section will certainly lower your grade and poor attendance is grounds for failing the course; on the other hand, especially energetic and informed participation will raise final grades.

**\*\*\*Case Analysis:** Multiple times throughout the semester you will be expected to perform a case analysis on the assigned historical documents. For each Case Analysis you will be asked to A) identify the legal statute that prompted the litigation; B) elaborate the facts of the case, stating who was involved and what issues were under dispute; C) analyze the case based on the introductory information that accompanies the reading and whatever other relevant context you have learned in class to this point. Each case analysis should be roughly 800-1000 words.

**\*\*\*Concept Papers:** This is a legal world different than our own. Twice during the semester, you will be asked to write a short analysis of roughly 800-1000 words addressing a legal-historical concept (for example: “dowry”, “natural law”, or slave’s rights).

**\*\*\*Midterm Exam:** On Monday, October 4<sup>th</sup> we will have an in-class Midterm Exam. The exam will draw from concepts and themes treated in the prior weeks of the course.

**\*\*\*Final Essay:** One 5-7 page essay will be due at the end of the semester. Questions will be distributed two weeks in advance. These essays will involve critical analyses of primary documents that we will have studied in class. **No outside sources should be consulted without justification to the instructor.** See discussion on grading and my policy on **plagiarism** at the end of this syllabus.

**Grading:**

Participation & Content Quizzes:	15%
Case Analysis (x2):	20%
Concept Papers (x2):	20%
Midterm Exam:	20%
Final Essay:	25%

**Schedule of Readings:** Please note that readings will be posted on CANVAS under “Files.” This syllabus and any handouts or assignments will also appear on CANVAS.

\*\*\* Unless noted otherwise, all ASSIGNMENTS are due (electronically) before the start of class on the day they are listed.

\*\*\* Class meeting topic description: You will notice that every meeting has a short topic description, as well as a label that reads [lecture], [interactive lecture], [discussion]. These three labels are meant to indicate the level of expected student involvement for the class session. [Lectures] are primarily professor-led, though students are always encouraged (!!!) to ask questions related to their reading. [Discussions], on the other hand, are student-centered exchanges about the reading. [Interactive lectures] fall somewhere in the middle, often mixing elements of both modalities.

**1. Introduction:**

Mon 8/23, Wed 8/25, Fri 8/27

Monday 8/23: Syllabus, opening lecture  
READING\*\*: THE SYLLABUS

Wednesday 8/25: *Casta* Paintings [discussion]  
ASSIGNMENT\*\*: Syllabus Quiz (to be completed prior to Wednesday’s meeting)

Friday 8/27: Spanish Peninsular History and Blood Purity (*limpieza de sangre*) [lecture]  
READING\*\*: **Feros**, “The Others Within,” in *Speaking of Spain*, 76-108



## THEMATIC SECTION ONE: CONQUEST AND MODELING A NEW SOCIETY

### 2. The Right to Conquest

Mon 8/30, Wed 9/1, Fri 9/3

- Monday 8/30: Justifying Conquest in the Medieval World [Lecture]  
READING\*\*: **Muldoon**, chapter 7 “The Spanish Experience,” pp. 132-152 from *Popes, Lawyers, and Infidels* (1979)
- Wednesday 9/1: Legal Sources on Evangelization and Conquest of the Americas [Interactive Lecture]  
READING\*\*: **Pope Alexander VI**, *Demarcation Bull Granting Spain Possession of Lands Discovered by Columbus* (1493)  
**Vitoria**, “On the Evangelization of Unbelievers,” in *Colonial Latin America: A Documentary History* 65-77  
**The Requirement**
- Friday 9/3: The *Encomienda*, Rights and Obligations of Conquistadors, & Indigenous Slavery [Discussion]  
READING\*\*: [Laws of Burgos \(1512-1513\)](#)  
**Stone**, “Slave Raiders vs. Friars: *Tierra Firme* 1513-1522,” *The Americas* 74:2 (2017):139-170

### 3. Indigenous Slavery

Mon 9/6, Wed 9/8, Fri 9/10

- Wednesday Wed 9/8: Debating the Justice of Indigenous Slavery [Interactive Lecture]  
READING\*\*: **Pope Paul III**, *Sublimis Deus* “On the Enslavement and Evangelization of Indians” (1537)  
[\[http://www.papalencyclicals.net/Paul03/p3subli.htm\]](http://www.papalencyclicals.net/Paul03/p3subli.htm)  
**Sepúlveda**, excerpt from Valladolid debate, on natural slavery  
“**Las Casas’s** Views on Indigenous Slavery. Defense of the Indians, by the Most Reverend Fray Bartolomé de las Casas,” in *Documenting Latin America*, 60-64  
[1542 New Laws](#)
- Friday 9/10: Fighting for Freedom in Spanish Courts [Discussion]  
READING\*\*: “*Beatríz, india’s*, Lawsuit for Freedom from Slavery (Castile, Spain, 1558-1574),” pp. 14-29 in Jaffary & Mangan, *Women in Colonial Latin America, 1526 to 1806* (2018)
- Friday 9/10: CASE ANALYSIS #1 DUE\*\*\* by class-time, via Canvas: (*Beatríz, india’s*, Lawsuit for Freedom)**

#### **4. The Republic of the Indians, African “Surrogate Settlers,” and the Productive Economy**

Mon 9/13, Wed 9/15, Fri 9/17

- Monday 9/13: The Republic of the Indians [Lecture]  
READING\*\*: “Article 16,” in **Zorita**, *Life and Labor in Ancient Mexico*, 235-260  
**Martin & Wasserman**, “The Iberians’ New World,” ch. 8 in *Latin America and its People, volume 1: to 1830*, 96-111
- Wednesday 9/15: Rebuilding after Conquest [Discussion]  
READING\*\*: **“The Indian Pueblo of Texupa in Sixteenth-Century Mexico (1579),”** 117-123 in *Colonial Latin America: A Documentary Reader*  
**“An Indian Nobleman Petitions his King,”** in *The Colombia Reader*, 253-256
- Friday 9/17: Africans in Sixteenth Century Latin America  
READING\*\*: **Wheat**, chapter 5 “Black Peasants” in *Atlantic Africa and the Spanish Caribbean, 1570-1640* (UNC 2016), 181-215

#### **5. Blood Purity and the Mestizo Question**

Mon 9/20, Wed 9/22, Fri 9/24

- Monday 9/20: Race, Class, and *Mestizo* Paranoia [Lecture]  
READING\*\*: **Cope**, Chapter 1 “Race and Class in Colonial Mexico City, 1521-1660,” pp. 9-26 in *The Limits of Racial Domination: Plebeian Society in Colonial Mexico City, 1660-1720* (Wisconsin, 1994)
- Wednesday 9/22: Legal Statutes and Legal Doctrine [Interactive Lecture]  
READING\*\*: **Poole**, “Church Law on the Ordination of Indians and *Castas* in New Spain,” *The Hispanic American Historical Review* 61:4 (1981): 637-650

#### **IN-CLASS JIGSAW READING ACTIVITY**

- Friday 9/24: RACE IN THE IBERIAN WORLD - LABORATORY  
READING\*\*: see CANVAS

**ASSIGNMENT\*\*\***: **CONCEPT PAPER #1 due via Canvas by 3pm**

## **6. The Inquisition: Blood Purity and Social Control**

Mon 9/27, Wed 9/29, Fri 10/1

- Monday 9/27: The Inquisition, its Aims, and its Jurisdiction [Interactive Lecture]  
READING\*\*: **Tavárez**, chapter 3, “Legally Indian: Inquisitorial Readings of Indigenous Identity in New Spain,” pp. 81-100 in *Imperial Subjects: Race and Identity in Colonial Latin America* (2009)  
**Chuchiak**, “Document 7. Edict of Faith That Requires All to Denounce the Practitioners of Astrology, Necromancy, Geomancy...”
- Wednesday 9/29: Popular Medicine, Witchcraft, and the Inquisition [Case Study Discussion]  
READING\*\*: chapter 11 “Isabel Hernández, Midwife and Healer, Appears Before the Inquisition (Mexico, 1652)” pp. 128-144 in *Women in Colonial Latin America*
- Friday 10/1: Gender and Social Control [Discussion]  
READING\*\*: **Kagan and Dyer**, “Sexuality and the Marriage Sacrament: Elena/Eleno de Céspedes” in *Inquisitorial Inquiries*

## **7. Exam Week**

Mon 10/4, Wed 10/6, ~~Fri 10/8 [Homecoming]~~

- Monday 10/4: Spain’s Global Empire: *Indios* of the Pacific Ocean  
READING\*\*: **Seijas**, *Asian Slaves in Colonial Mexico*, finish Intro through page 60 by today
- Wednesday 10/6: Just War Slavery  
READING\*\*: **Seijas**, *Asian Slaves in Colonial Mexico*, finish chapter 4 by today

## **8. Spain’s Global Empire: The Shifting Definition of *Indio***

Mon 10/11, Wed 10/13, Fri 10/15

- Monday 10/11: Colonial Textile Mills & Racialized Labor Regimes  
READING\*\*: **Seijas**, *Asian Slaves in Colonial Mexico*, finish chapter 6 by today
- Wednesday 10/13: The End of *Chino* Slavery [Discussion]  
READING\*\*\*: Finish **Seijas**, *Asian Slaves in Colonial Mexico*
- Friday 10/15: Mid-term Exam

## **THEMATIC SECTION TWO: THE FAMILY, GENDER, SEXUALITY**

## **9. Married Women and Property Rights**

Mon 10/18, Wed 10/20, Fri 10/22

- Monday 10/18: Gender and Law in Spanish America [Lecture]  
READING\*\*: **Gauderman**, preface, Introduction, pp. ix-xii & 1-6 from  
*Women's Lives in Colonial Quito* (2003)
- Wednesday 10/20: Married Women, Property Rights, and *Patria Potestas* – Is father always right?  
[Reading Discussion]  
READING\*\*: **Gauderman**, chapters 1 & 2, pp. 12-47 from *Women's Lives in Colonial Quito* (2003)
- Friday 10/22: Women Engaging the Legal System [Discussion]  
READING\*\*: chapter 3 “Women’s Wills,” pp. 30-50 & chapter 4 “Midwife Francisca Diaz’s Petition to Return to Mexico,” pp. 51-59 in Jaffary & Mangan,  
*Women in Colonial Latin America, 1526 to 1806* (2018)

## **10. Women and the Criminal Justice System**

Mon 10/25, Wed 10/27, Fri 10/29

- Monday 10/25: Women and the Criminal Justice System [Interactive Lecture]  
READING\*\*: **Gauderman**, chapter 3 “Women and the Criminal Justice System”  
pp. 48-70 from *Women's Lives in Colonial Quito* (2003)
- Wednesday 10/27: Sexual Violence and the Law [Discussion]  
READING\*\*: chapter 7 “Criminal Complaint by Angela de Palacios on Behalf of her Daughter, Leonor Arias” pp. 84-94 in *Women in Colonial Latin America*
- Friday 10/29: Justifiable Homicide? [Discussion]  
READING\*\*: **Abercrombie**, “Affairs of the Courtroom: Fernando de Medina Confesses to Killing His Wife (Charcas, 1595)” pp. 54-76

**---Friday 10/29: CASE ANALYSIS #2 DUE\*\*\*: (either Weds. or Fri. reading)**

## **11. Women's Lives: Work and Marriage**

Mon 11/1, Wed 11/3, Fri 11/5

- Monday 11/1: Women in the Public Square [Discussion]  
READING\*\*: **Gauderman**, chapter 4 “Women as Entrepreneurs,” pp. 71-91  
from *Women's Lives in Colonial Quito* (2003)  
chapter 6 “Mothers and Wives in Labor Agreements,” pp. 77-83 in *Women*

### *in Colonial Latin America*

Wednesday 11/3: Sexuality, Illegitimacy, Discrimination and the Impact of the Royal Pragmatic of 1778 [Lecture]

READING\*\*: **Twinam**, “Antecedents,” pp. 3-34 in *Public Lives, Private Secrets: Gender, Honor, Sexuality, and Illegitimacy in Colonial Spanish America* (1999)

Friday 11/5: Social Class, Marriage, and Parental Prerogatives [Discussion]

READING\*\*: **Büschges**, “Don Manuel Valdivieso y Carrión Protests the Marriage of His Daughter to don Teodoro Jaramillo, a Person of Lower Social Standing,” pp. 224-235

### **12. Sex, Gender, Medicine, and the Law**

Mon 11/8, Wed 11/10, Fri 11/12

Monday 11/8: The Church, Society, and Reproduction [Lecture]

READING\*\*: **Jaffary**, “Introduction” in *Reproduction and Its Discontents in Mexico: Childbirth and Contraception from 1750 to 1905* (2016): 1-19

Wednesday 11/10: Abortion as a Prosecutable Offense [Discussion]

READING\*\*: chapter 12, “Don Juan de Vargas y Orellana Accuses his Wife doña Francisca de Marquina of Abortion (Potosí, 1703),” pp. 145-153 in ***Women in Colonial Latin America***

Friday 11/12: Infanticide [Discussion]

READING\*\*: chapter 21, “María del Carmen Ventura’s Criminal Trial for Infanticide (Zacualtipan, Mexico, 1806),” pp. 250-264 in ***Women in Colonial Latin America***

## **THEMATIC SECTION THREE: AFRICANS, SLAVERY, AND LEGAL RIGHTS IN THE SPANISH AMERICAS**

### **13. Fractional Freedoms**

Mon 11/15, Wed 11/17, Fri 11/19

Monday 11/15: Slavery, Deep Legal Structures [Lecture]

READING\*\*: Excerpts from the *Siete Partidas* (1265), TBA

Wednesday 11/17: Slaves & Their Rights in Court [Interactive Lecture]

READING\*\*: **McKinley**, chapter 1 “Litigating Liberty” in *Fractional Freedoms*

ASSIGNMENT\*\*\*: **Online Reading Quiz**

Friday 11/19: Slaves & Ecclesiastical Courts, Case Studies [Discussion]  
READING\*\*: **Arrelucea Barrantes et al.**, “The Complaint of Manuela, *Zamba* Slave, that she be sold in Lima [November 3, 1783],” chapter 16 in *Afro-Latino Voices*

#### **14. Fractional Freedoms, pt. 2**

Mon 11/22, Wed 11/24, ~~Fri 11/26~~

Monday 11/22: Enslaved Landownership and the Challenge of Multiple Jurisdictions [Discussion]  
READING\*\*: chapter 15 “Isabel Victoria García Sues the Hacienda del trapiche over Land Ownership (Pamplona, Colombia, 1777),” pp. 180-192 in ***Women in Colonial Latin America***

**---Mon. 11/22: Concept Paper #2 due via Canvas by midnight**

Wednesday 11/24: Popular Medicine, African Entrepreneurs, and the Inquisition [Discussion]  
READING\*\*: **Vicuña**, “The Witchcraft Trials of Paula de Eguiluz, a Black Woman, in Cartagena de Indias, 1620-1636”

#### **15. Slavery, Manumission, and Property Law**

Mon 11/29, Wed 12/1, Fri 12/3

Monday 11/29: Self-manumission in the Spanish Empire [Discussion]  
READING\*\*: **De la Fuente**, “Slaves and the Creation of Legal Rights in Cuba: *Coartación* and *Papel*,” *Hispanic American Historical Review* 87:4 (November 2007): 659-692

Wednesday 12/1: Slaves & Ecclesiastical Courts, Case Studies [Discussion]  
READING\*\*: chapter 17, “Natividad, Negra, Sues her Owner for Freedom (Lima, 1792),” pp. 205-213 in ***Women in Colonial Latin America***

Friday 12/3: Common-Law Marriage and Inheritance Rights in Colonial Florida [Discussion]  
READING\*\*: chapter 19 “Ana Gallum, Freed Slave and Property Owner (Florida, 1801),” pp. 224-239 in ***Women in Colonial Latin America***

## **16. Reflections**

Mon 12/6, Wed 12/8, ~~Fri 12/10~~

Monday 12/6: Purchasing Whiteness  
READING\*\*: **Twinam**, “Purchasing Whiteness: Conversation on the Essence of Pardon-ness and Mulatto-ness at the End of Empire,” in Andrew B. Fisher and Matthew D. O’Hara eds., *Imperial Subjects: Race and Identity in Colonial Spanish America*, 141-166

Wednesday 12/8: The *Casta* Paintings Revisited  
READING\*\*: **TBD**

**---Final Essay due on Canvas by Wednesday Dec. 15<sup>th</sup>, 12:00 pm**

### **Grading Criteria for Essays and Other Written Assignments:**

If you believe an error has been made in grading your work, please bring it to the instructor’s attention, and he will review the situation. Once it has been verified that no error has been made, *GRADES ARE NON-NEGOTIABLE*.

- A Work that goes beyond instructor’s expectations: is careful, thoughtful, original, and thorough. Truly outstanding work – even for a “good” student.
- A- Very good work with most of the attributes of “A” work but either deficient in some technical aspect, in thoroughness and care or not as strikingly incisive, original, or creative as “A” work. Excellent.
- B+ Better than good, competent work, even for the typical student at this university. Some aspects are very strong, but not uniformly excellent.
- B Good competent work, which meets all requirements the instructor could specify in advance. Reasonably thorough. Alternatively, work with some excellent aspects that are balanced by serious deficiencies.
- B- Almost up to specifiable standards. Often characterized by vagueness and signs of lack of effort or insufficient engagement with the material. Sometimes the result of correctable misunderstanding. Talk to instructor.
- C+ Below the specifiable standards for good work. Talk to instructor.
- C Minimally passing work, showing serious misunderstanding or lack of effort or engagement. Talk to instructor
- C- or below: Talk to instructor immediately.

### **Plagiarism policy**

Please familiarize yourself with the University's academic honor code. Unintentional plagiarism results in an "F" for the paper. Intentional plagiarism results in an "F" for the course, or worse. All plagiarism charges will be reported to the University administration.

**The University of Florida Honor Pledge:** We, the members of the University of Florida community, pledge to hold ourselves and our peers to the highest standards of honesty and integrity by abiding by the Student Honor Code. On all work submitted for credit by Students at the University of Florida, the following pledge is either required or implied: "On my honor, I have neither given nor received unauthorized aid in doing this assignment."

### **How to avoid the (unintentional) appearance of plagiarism**

Make sure that all quotations from primary and secondary sources are always in quotation marks, and cite the source.

Always cite sources for ideas that are not your own. If the source is a book not assigned in the course, a lecture, or a conversation with a friend, or something said by another student in a discussion section, say so in a footnote or endnote.

The papers in this course are not research papers – they ask you only to think about material already assigned. So you do not need to consult readings other than what is assigned (if you happen to have read something not assigned that you think is relevant, feel free to use it, but with a proper citation). If someone has helped you with this paper (by reading it for clarity and grammar, or by listening to you talk about it) state in an acknowledgement who that person is, and how he or she helped you. It is fine to get help, as long as your helper does not in any way write the paper for you, or provide you with the argument(s) of the paper. It is best to get help from someone who is not taking the course.

**Accommodations for Students with Disabilities:** Students requesting classroom accommodation must first register with the Dean of Students Office. The Dean of Students Office will provide documentation to the student who must then provide this documentation to the Instructor when requesting accommodation. Contact the Disability Resources Center (<http://www.dso.ufl.edu/drc/>) for information about available resources for students with disabilities.

**Counseling and Mental Health Resources:** Students facing difficulties completing the course or who are in need of counseling or urgent help should call the on-campus Counseling and Wellness Center (352-392-1575); <http://www.counseling.ufl.edu/cwc/>.

**Online Course Evaluation Process:** GatorEvals is seamlessly linked to UF's CANVAS learning management system. Students can complete their evaluations through the email they receive from GatorEvals, or in their Canvas course menu under GatorEvals. Thank you for serving as a partner in this important effort.